

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

E-FILED - 1/12/06

UNITED STATES OF AMERICA,)	No. CR 05-00288 RMW
)	
Plaintiff,)	ORDER CONTINUING
v.)	HEARING AND EXCLUDING TIME
)	
MARIO PONCE,)	
)	
Defendant.)	
)	

The parties have jointly requested a continuance of the hearing set for January 09, 2006, on grounds that the immigration attorney hired by Mr. Ponce's family is continuing to investigate defects in Mr. Ponce's representation with respect to his underlying felony conviction, and is preparing a motion to reopen his immigration case, which is expected to be filed shortly.

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the hearing date presently set for January 09, 2006, be continued to Monday, February 13, 2006, at 9:00 a.m.

Pursuant to the parties' stipulation, IT IS FURTHER ORDERED that the period of time from January 09, 2006, to Monday, February 13, 2006, shall be excluded from the period of time within which trial must commence under the Speedy Trial Act, 18 U.S.C. § 3161 et seq.

Dated: 1/12/06

/S/ RONALD M. WHYTE
RONALD M. WHYTE
United States District Judge